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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/752,700	12/29/2000	Anthony Edward Stuart	PU000189	9409

7590 08/26/2004

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EXAMINER
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MA, JOHNNY

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 08/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/752,700

Applicant(s)

STUART, ANTHONY EDWARD

Examiner

Johnny Ma

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 29 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schlarb et al. (US 6,664,984 B2) in further view of Blonstein et al. (US 6,411,308 B1).

As to claim 1, note the Schlarb et al. reference that discloses a method and system for identification of pay-per-view programming wherein "[t]he subscriber, depending on the subscriber television system, can scroll up or down through the hundreds of channels and forwards or backwards through several days or weeks of program information" (column 1, lines 59-62). The claimed "displaying on a display device a time line" is met by time blocks 106 displaying program for 5:00 pm, 5:30 pm, and 6:00 pm as illustrated in Figures 1-4. The claimed "delineating times and days in the future from a current day and time" is met by the time block timeline 106 and date display of 102 (see Figure 1).

Also note the time span of several days or weeks of program information as cited above.

However, the Schlarb et al. reference is silent as to forwards and backwards time navigation using a slidable notched time line. Now note the Blonstein et al. reference that discloses a television graphical user interface having variable channel control bars.

The claimed time line having notches to which a marker can be slidably moved" is met by the Blonstein et al. direct access bar wherein the access bar comprises scale marks/values

Art Unit: 2614

representing relative positions along the slidable scale (see Figure 6, direct access bar 810). Note the Blonstein et al. reference discloses clicking on an area of the direct access bar with a pointing device resulting in the display changing to the selected area of values corresponding to the selected portion of the selected direct access bar portion (column 11, lines 21-34).

Therefore, the examiner submits that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Schlarb et al. timeline forwards and backwards navigation with the Blonstein et al. direct access bar for the purpose of allowing efficient and faster access of programs at different times in the timeline without requiring the scroll through each time slot between that of the present and desired time slots. The claimed “slidably moving the marker to a notch delineating a desired day and time in the future, thereby causing to be displayed in a time window displayed on the display device a time period displaying indicia for programs to be broadcast during the time period on said desired day and time” is met by the Schlarb et al. and Blonstein et al. combination as described above wherein a user may navigate a timeline using a direct access bar.

As to claim 2, the claimed “wherein the notches delineate time that are hours, days, weeks” is met by programming guide containing data for several days or weeks of program information (Schlarb 1:61-62). However, the Schlarb et al. reference does not specifically disclose months of programming information. Nevertheless, the examiner gives Official Notice that it is notoriously well known to provide schedule information far into the future, such as months, for the purpose of allowing a user to identify a greater amount of programming, to better plan for viewing or recording of desired programming. Therefore, the examiner submits that it would have been obvious to one of ordinary skill in the art at the time the invention was made to

Art Unit: 2614

modify the Schlarb et al. several weeks of programming accordingly for the above stated advantage.

As to claim 3, the claimed “further comprising the step of moving the time window to view desired program indicia” is met by time window of 5:00 pm – 6:00 pm as illustrated in Figure 3 wherein a user may navigate forwards and backwards in time as designated by the arrows surrounding time block 5:00 pm (also see Schlarb et al.; column 1, lines 60-63).

As to claim 4, the claimed “further comprising the step of moving the time window in one-half hour increments” is met by that discussed in the rejection of claim 3 wherein the illustrated time window is divided into 30 minute increments.

As to claim 5, the claimed “wherein the marker can be selectively moved forward and backward in time” is met by that discussed in claim 1, wherein the user may move forwards or backwards through several days or weeks of program information.

As to claim 6, the claimed “wherein the marker can be selectively moved backwards in time to display indicia for programs that were already broadcast” is met by a user may move forwards or backwards through several days or weeks of program information (column 1, lines 60-63).

As to claim 7, the claimed “wherein the method is implemented using a remote control device.” Note the Schlarb et al. reference discloses an electronic program guide for user navigation of scheduled programming, see Figures 1-4 (column 1, lines 54-64). However, the Schlarb et al. reference is silent as to user navigation via a remote control device. Nevertheless the examiner gives Official Notice that it is notoriously well known in the art to use remote control devices when navigating electronic program guides for the purpose of allowing the user

Art Unit: 2614

convenient control and access of programming at a comfortable distance from the television set. Therefore, the examiner submits that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Schlarb et al. electronic program guide navigation accordingly for the above stated advantages.

As to claim 8, note the Schlarb et al. reference that discloses a method and system for identification of pay-per-view programming wherein “[t]he subscriber, depending on the subscriber television system, can scroll up or down through the hundreds of channels and forwards or backwards through several days or weeks of program information” (column 1, lines 59-62). The claimed “displaying on a display device a time line” is met by time blocks 106 displaying program for 5:00 pm, 5:30 pm, and 6:00 pm as illustrated in Figures 1-4. The claimed “delineating times and days in the future from a current day and time” is met by the time block timeline 106 and date display of 102 (see Figure 1). The claimed displaying on a display device a time window defining a first time period on the current day, wherein the time window displays indicia for programs broadcast during the first time period of the current day” is met by time blocks 106 displaying program for 5:00 pm, 5:30 pm, and 6:00 pm as illustrated in Figures 1-4 wherein the program guide display program information for time frames for future, current, and past times (column 1, lines 54-65). Also note the time span of several days or weeks of program information as cited above. However, the Schlarb et al. reference is silent as to forwards and backwards time navigation using a slidable notched time line. Now note the Blonstein et al. reference that discloses a television graphical user interface having variable channel control bars. The claimed time line having notches to which a marker can be slidably moved” is met by the Blonstein et al. direct access bar wherein the access bar comprises scale

Art Unit: 2614

marks/values representing relative positions along the slidable scale (see Figure 6, direct access bar 810). Note the Blonstein et al. reference discloses clicking on an area of the direct access bar with a pointing device resulting in the display changing to the selected area of values corresponding to the selected portion of the selected direct access bar portion (column 11, lines 21-34). Therefore, the examiner submits that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Schlarb et al. timeline forwards and backwards navigation with the Blonstein et al. direct access bar for the purpose of allowing efficient and faster access of programs at different times in the timeline without requiring the user to scroll through each time slot between that of the present and desired time slots. The claimed “slidably moving the marker to a notch delineating a desired day and time in the future, thereby causing to be displayed in the time window a second time period displaying indicia for programs to be broadcast during the second time period on said desired day and time” is met by the Schlarb et al. and Blonstein et al. combination as described above..

As to claim 9, the claimed “wherein the second time period is for a period of time on a different day than the first time period” is met by user capable of navigating forwards through several days or weeks of program information (column 1, lines 60-62).

As to claim 10, the claimed “wherein the second time period overlaps the first time period” is met by time window of 5:00 pm – 6:00 pm as illustrated in Figure 3 wherein a user may navigate forwards and backwards in time as designated by the arrows surrounding time block 5:00 pm (also see Schlarb et al.; column 1, lines 60-63) wherein the illustrated time window is divided into 30 minute increments. Note that by incrementing the time frame by 30 minutes, the new time frame overlaps that of the previous time frame.

Art Unit: 2614

As to claim 11, the claimed “wherein the first and second time periods are successive time periods” is met by that discussed in the rejection of claim 8 wherein a user may access any time frame of program guide information which inherently includes successive time periods.

As to claims 12-17, please see rejections of claims 1, 2, 4-7 respectively.

As to claims 18-21, please see rejections of claims 1-11 respectively.

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The Rauch et al. reference (US 5,731,844) discloses a television scheduling system for displaying a grid representing scheduled layout and selecting a programming parameter for display of recording.

The Sullivan reference (US 6,549,929 B1) discloses intelligent scheduled recording and program reminders for recurring events.

The Chapuis reference (US 6,424,361 B1) discloses a method of navigating in a graphical user interface and device for implementing the same.

The Schein et al. reference (US 2002/0059599 A1) discloses interactive computer system for providing television schedule information.

The Noble reference (US 2002/0188944 A1) discloses a daypart based navigation paradigm.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Johnny Ma whose telephone number is (703) 305-8099. The examiner can normally be reached on 8:00 am - 5:00 pm.



Art Unit: 2614

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (703) 305-4795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

jm

A handwritten signature in black ink, appearing to read 'J. Miller', is positioned above the printed name.

JOHN MILLER  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600